

Chapter 239

WILDLIFE FEEDING

§ 239-1.	Purpose.	§ 239-3.	Prohibited conduct.
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[HISTORY: Adopted by the Borough Council of the Borough of Mountain Lakes 9-26-2005 by Ord. No. 15-05. Amendments noted where applicable.]

GENERAL REFERENCES

Pet waste — See Ch. 179.

Streets and sidewalks — See Ch. 204.

Sewers — See Ch. 191.

Yard waste — See Ch. 240.

Solid waste — See Ch. 200.

§ 239-1. Purpose.

To prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by the Borough of Mountain Lakes, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 239-2. Definitions.

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

FEED — To give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

PERSON — Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.

WILDLIFE — All animals that are neither human nor domesticated.

§ 239-3. Prohibited conduct.

- A. No person shall feed, in any public park or on any other property owned or operated by the Borough of Mountain Lakes, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers) or unconfined wildlife at environmental education centers.
- B. No person shall feed wild geese, ducks or other waterfowl anywhere in the Borough, either on public or private property. This shall not be construed to prohibit humane acts in individual cases, such as

the temporary nurturing of a wounded or abandoned waterfowl on one's own premises.

§ 239-4. Enforcement; violations and penalties.

- A. This chapter shall be enforced by the Police Department of Mountain Lakes.
- B. Any person found to be in violation of this chapter shall be ordered to cease the feeding immediately.
- C. Any person, firm or corporation who is found to be in violation of any of the provisions of this chapter shall, upon conviction, be punished by a fine not to exceed \$1,000 or by imprisonment in the county jail for a period not to exceed 90 days, or by both such fine and imprisonment, and each violation of any of the provisions of this chapter and each day the same is violated shall be deemed and taken to be a separate and distinct offense.